

## **Exhibit 10**



Office of the Attorney General  
Washington, D. C. 20530

February 5, 2025

MEMORANDUM FOR ALL DEPARTMENT OF JUSTICE EMPLOYEES

FROM: THE ATTORNEY GENERAL 

SUBJECT: ELIMINATING INTERNAL DISCRIMINATORY PRACTICES<sup>1</sup>

The Department of Justice is committed to enforcing all federal civil rights laws and ensuring equal protection under the law. As the Supreme Court of the United States recently stated, “[e]liminating racial discrimination means eliminating all of it.” *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 206 (2023).

On January 21, 2025, President Trump issued an Executive Order, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity* (Jan. 21, 2025), making it clear that policies relating to “diversity, equity, and inclusion” (DEI) and “diversity, equity, inclusion, and accessibility” (DEIA) “violate the text and spirit of our longstanding Federal civil-rights laws” and “undermine our national unity.” President Trump further instructed all agencies, including the Department, to terminate discriminatory programs and policies relating to DEI and DEIA.

To implement that directive, all Department components must thoroughly evaluate consent decrees, settlement agreements, litigation positions (including those set forth in amicus briefs), grants or similar funding mechanisms, procurements, internal policies and guidance, and contracting arrangements.<sup>2</sup> There is no place in these materials for race- or sex-based preferences, diversity hiring targets, or preferential treatment based on DEI- or DEIA-related criteria. All Department materials that encouraged or permitted race- or sex-based preferences as a method of compliance with federal civil rights laws are rescinded and will be replaced with new guidance affirming that equal treatment under the law means avoiding identity-based considerations in employment, procurement, contracting, or other Department decisions. Updated guidance should

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<sup>1</sup> This guidance is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

<sup>2</sup> This memorandum is intended to eliminate programs, initiatives, or policies that discriminate, exclude, or divide individuals based on race and sex. It does not prohibit educational, cultural, or historical observances—such as Black History Month, International Holocaust Remembrance Day, or similar events—that celebrate diversity, recognize historical contributions, and promote awareness without engaging in exclusion or discrimination.

Memorandum for all Department Employees  
 Subject: Eliminating Internal Discriminatory Practices

Page 2

narrow the use of “disparate impact” theories that effectively require use of race- or sex-based preferences. The guidance shall also emphasize that statistical disparities alone do not automatically constitute unlawful discrimination.

By March 15, 2025, each of the Department component shall submit a report to the Office of the Attorney General:<sup>3</sup>

- Confirming the termination, to the maximum extent allowed by law, of all DEI, DEIA, and “environmental justice” programs, offices, and positions (including but not limited to “Chief Diversity Officer” or similar positions); all “equity action plans”, “equity” actions, initiatives, or programs; all “equity-related” grants or contracts; and all DEI or DEIA performance requirements for employees, contractors, suppliers, vendors, or grantees;
- Identifying agency or department DEI, DEIA, or “environmental justice” positions, committees, programs, services, activities, budgets, and expenditures in existence on November 4, 2024, and providing an assessment of whether these positions, committees, programs, services, activities, budgets, and expenditures have been misleadingly relabeled in an attempt to preserve their pre-November 4, 2024, function;
- Identifying federal contractors, suppliers, vendors, and grantees who have provided DEI training or DEI training materials to agency or department employees since January 20, 2021;
- Identifying federal grantees who received federal funding to provide or advance DEI, DEIA, or “environmental justice” programs, services, or activities since January 20, 2021;
- Assessing the operational impact (e.g., the number of new DEI hires) and cost of the prior administration’s DEI, DEIA, and “environmental justice” programs and policies;
- Recommending actions to align Department programs, activities, policies, regulations, guidance, employment practices, enforcement activities, contracts (including set-asides), grants, consent orders, and litigating positions with requirement of equal dignity and respect.

In preparing these reports, each component shall pay particular attention to ending references to DEI or DEIA in (1) training and programs, including references to “unconscious

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<sup>3</sup> No component should take any action that it believes may violate an existing legal obligation—such as a court order, consent decree, or statutory mandate—without first consulting with the Office of Legal Counsel. To the extent any component has not implemented these directives, the report should (1) identify what changes were considered but not made and (2) explain why the component was unable to make the change.

bias,” “cultural sensitivity,” “inclusive leadership,” and any emphasis on race- or sex-based criteria rather than merit; (2) policies and guidelines, including hiring, promotion, or performance-evaluation policies; and (3) vendor contracts and budget materials.

The Department will also assist the Office of Management and Budget, upon request, in reviewing, revising, and excising references to DEI and DEIA principles in government-wide processes, directives, and guidance as well as federal acquisition, contracting, grants, and financial assistance procedures.